

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

CASE NO. 1:15CR106

UNITED STATES OF AMERICA

V.

MICHAEL DEAN TOMES

ORDER

THIS MATTER is before the Clerk for purposes of clarifying the restitution amounts to be paid to Long House Funeral Home, Inc. and PMA Management Corporation in the criminal matter of USA v. Michael Dean Tomes.

Per the original Judgment, filed on January 31, 2017, Michael Dean Tomes was ordered to pay a total of \$1,566,145.00 in restitution with amounts to be distributed to victims as follows: \$7,854.00 to Long House Funeral Home, \$6,630.00 to the Insurance of Eastern Band of Cherokee Indians, \$1,224.00 to PMA Management, Corp., and \$1,550,437.00 to The Estate of Patrick Bradley Allison.

Although the Judgment orders restitution to be paid separately to “Insurance of

Eastern Band of Cherokee Indians” and “PMA Management, Corp.,” PMA Management IS the insurance company for the Eastern Band of Cherokee Indians and the only insurance company that paid Long House Funeral Home for its claim.

Post sentencing, the U.S. Attorney’s Office received documentation from Long House Funeral Home that establishes \$6,630.00 as the actual loss they incurred. Long House Funeral Home provided a “Statement of General Goods and Services Selected,” which lists all the services they provided at a total cost of \$6,630.00, rather than the \$7,854.00 ordered on the Judgment. Long House Funeral Home acknowledged that the difference of \$1,224.00 is the cost of a cremation, which they did not perform. In addition, Long House Funeral Home showed that they were paid in full by providing a cancelled check in the amount of \$6,630.00 paid to them by PMA Management Corp.

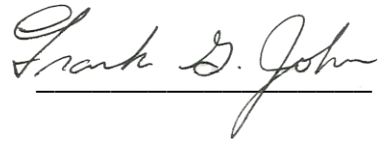
Thus, the actual loss amounts in the criminal matter of USA v. Michael Dean Tomes are as follows: \$6,630.00 to Long House Funeral Home (paid in full and credited), \$6,630.00 to PMA Management Corporation, and \$1,550,437.00 to The Estate of Patrick Bradley Allison. The total restitution owed by Michael Dean Tomes is accurate at \$1,563,697.00.

THEREFORE, IT IS HEREBY ORDERED that:

The Clerk shall direct the Financial Department to correct the restitution account in the criminal matter of USA v. Michael Dean Tomes such that it reflects

a total amount owed of \$1,563,697.00.

So ORDERED, this 26th day of September 2019.

A handwritten signature in cursive script, reading "Frank G. Johns", is written over a horizontal line.

Frank G. Johns, Clerk